

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Alexander Schiavo	Team: Team # 4	CCRB Case #: 201207974	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 06/20/2012 11:30 PM	Location of Incident: § 87(2)(b)	Precinct: 73	18 Mo. SOL 12/20/2013	EO SOL 12/20/2013	
Date/Time CV Reported Thu, 06/21/2012 1:00 AM	CV Reported At: Precinct	How CV Reported: In-person	Date/Time Received at CCRB Thu, 06/21/2012 10:35 AM		
Complainant/Victim	Type	Home Address			
Subject Officer(s)	Shield	TaxID	Command		
1. POM Rafael Figueroa	25243	948336	073 PCT		
2. An officer			073 PCT		
Officer(s)	Allegation	Investigator Recommendation			
A.POM Rafael Figueroa	Abuse: PO Rafael Figueroa stopped § 87(2)(b)				
B. An officer	Abuse: An officer searched § 87(2)(b)				

Case Summary

On June 21, 2012, at 1:00 a.m., § 87(2)(b) filed his complaint at the 73rd Precinct stationhouse. On June 21, 2012, the complaint report was faxed to the CCRB. On June 22, 2012, § 87(2)(b) provided a phone statement. On June 20, 2012, at about 11:30 p.m., § 87(2)(b) got off a bus in front of § 87(2)(b) in Brooklyn, where he works as § 87(2)(b). As he crossed the street, a marked RMP pulled up and two uniformed officers exited. An officer, whom § 87(2)(b) identified based on his nameplate and shield as PO “Guerrero,” shield #25243, and who was identified by the CCRB as PO Rafael Figueroa of the 73rd Precinct, immediately handcuffed § 87(2)(b) (Allegation A). § 87(2)(b) became upset and said that he worked right across the street. PO2 then placed his hands inside of the front and back pockets of § 87(2)(b)’s pants (Allegation B). He removed § 87(2)(b)’s identification from the front right pocket. PO2 also felt the contents of a bag that § 87(2)(b) was carrying, but did not remove any items (Allegation B). One of § 87(2)(b)’s coworkers came out of the building and verified that § 87(2)(b) was an employee. At that point, the officers released him without issuing a summons.

When § 87(2)(b) filed his complaint, he stated that the officer who handcuffed him had shield #25243. During § 87(2)(b)’s phone statement, he identified the officer who handcuffed him as PO “Guerrero.” A search of CTS revealed that PO Rafael Figueroa has shield #25243, which is almost identical to the shield number that § 87(2)(b) provided. PO Figueroa is assigned to the 73rd Precinct, which covers the incident location. Additionally, the civilian complaint report identified PO Figueroa as a subject officer. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

On June 22, 2012, the CCRB contacted § 87(2)(b) who scheduled an interview for June 28, 2012. On June 28, 2012, § 87(2)(b) did not appear and did not call to cancel or reschedule. The CCRB sent him a missed appointment letter, which has not been returned by the US Postal Service. On June 28, 2012, the CCRB called § 87(2)(b) who rescheduled his interview for July 5, 2012. On July 5, 2012, § 87(2)(b) did not appear and did not call to cancel or reschedule. On July 5, 2012, a search of the Department of Correction website revealed that § 87(2)(b) is not incarcerated. § 87(2)(g)

§ 87(2)(b)

Team: _____

Investigator: _____
Signature _____ Print _____ Date _____

Supervisor: _____
Title/Signature _____ Print _____ Date _____

Reviewer: _____
Title/Signature _____ Print _____ Date _____

Reviewer: _____
Title/Signature _____ Print _____ Date _____

